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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,023	12/02/2003	Ken Tanzillo	384.7854USU	2672

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EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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3692

MAIL DATE	DELIVERY MODE
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10/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/726,023	Applicant(s) TANZILLO ET AL.	
	Examiner Nga B. Nguyen	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on February 9, 2009, which paper has been placed of record in the file.
2. Claims **1-24** are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of new grounds of rejection.
4. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-4, 11-14, and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The new feature added to the claims "*information descriptive of a family tree that shows relationships between companies*" was not described in the specification.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 11-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 11-14 are rejected under 35 U.S.C. 101 because the claims recite "instructions" that not clearly computer "executable instructions", e.g. could just be text.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 5-7, 15-17, 19-21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Lent et al (hereinafter Lent), U.S. Patent No. 6,405,181.

Regarding to claim 5, Lent discloses a computer system for assessing risk, comprising:

a processor; and

a medium that contains instruction that when read by said processor (*column 17, lines 5-45*), cause said processor to provider functions of:

a portfolio analysis component that analyzes a portfolio of customer accounts and provides a data product containing a financial profile based on said portfolio (*column 17, lines 12-21, a web server 1406 and a business logic server 1408 implements the various approval checking processes*); and

a common decisioning component that automatically provides a credit decision based on said portfolio and user-defined rules and/or polices (*column 2, lines 9-11; column 4, lines 18-25; column 5, lines 38-42 and column 8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus*).

Regarding to claim 6, Lent further discloses wherein said common decisioning component comprises: a setup component that receives said user-defined rules and/or policies (*column 5, lines 15-37*).

Regarding to claim 7, Lent further discloses a configuration console component that provides administrative functions and security; wherein said administrative functions include an import function, an export function; and/or a score calculating function (*column 3, lines 54-57, receiving application data from an applicant (import function); column 4, lines 20-23, sending pared data to at least two credit bureaus (export function); column 5, lines 38-43, FICO score*).

Regarding to claim 15, Lent discloses a computer-implemented method of assessing risk, which comprises:

enhancing, by a processor, data in a portfolio of customer accounts by a quality assurance process (*column 3, lines 53-58, an application engine 104 creates an application by prompting an applicant for data and storing the entered data; column 4, lines 55-67, an application data structure 202 stores the data contained in an application and keeps track of the status of the application*);

receiving, by said processor, and enforcing at least one user-defined rules and/or user-defined policy (*column 5, lines 15-23, the Underwriter requires at lest two credit reports from two of three credit bureaus*);

enforcing, by said processor, said at least one user-defined rule and/or said at least one user-defined policy (*column 4, lines 18-25; column 5, lines 38-42 and column*

Art Unit: 3692

8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus);

providing, by said processor, automated credit decisioning for at least one customer based on said at least one user-defined rule and/or said at least one user-defined policy (*column 2, lines 9-11; column 4, lines 18-25; column 5, lines 38-42 and column 8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus);*

providing, by said processor, days sales outstanding for said at least one customer in said portfolio (*column 5, lines 27-31, e.g. a 90 day attribute that indicates the number of times the applicant has been more than 90 days late in payment of a debt); and*

providing, by said processor, risk information for said at least one customer in said portfolio (*column 5, lines 25-37, each credit report object includes a plurality of attitudes).*

Regarding to claim 16, Lent further discloses segmenting said portfolio by a selected variable to uncover risks and opportunities in said portfolio (*column 5, lines 25-37, each credit report object includes a plurality of attitudes).*

Regarding to claim 17, Lent further discloses wherein said risk information includes a total risk exposure within a corporate entity associated with said at least one customer (*column 5, lines 25-37, each credit report object includes a plurality of attitudes).*

Regarding to claims 19-21, Lent further discloses providing, by said processor, a financial profile of said at least one customer in said portfolio, wherein said financial profile includes how said at least one customer pays other companies, financial profile includes a financial statement for said at least one customer (*column 5, lines 25-37, each credit report object includes a plurality of attitudes*).

Regarding to claim 23, Lent further discloses wherein said policy is selected from the group consisting of: a credit limit policy, a score policy, an exception policy, a collection policy, a selling term policy, and a financial selection policy (*column 5, lines 38-43, a score policy*).

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-4, 11, 13, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (hereinafter Lent), U.S. Patent No. 6,405,181, in view of Carter, III, U.S. Patent No. 5,878,400.

Regarding to claim 1, Lent discloses a system for assessing risk, comprising:
a processor; and

a medium that contains instruction that when read by said processor (*column 17, lines 5-45*), cause said processor to provide functions of:

a user interface to receive requests and customer account information to be stored in a portfolio in a first database (*column 3, lines 53-58, an application engine 104 creates an application by prompting an applicant for data and storing the entered data; column 4, lines 55-67, an application data structure 202 stores the data contained in an application and keeps track of the status of the application*);

a risk assessment manager that provides application functions, services and portfolio analysis based on said requests (*column 17, lines 12-21, a web server 1406 and a business logic server 1408 implements the various approval checking processes*);

a data integration component that provides access to at least a second database (*column 5, lines 15-20, the application data structure includes a set of credit report objects 214 associated with each credit report, at least two credit reports from two of three credit bureaus are ordered*); and

a corporate linkage component that provides to said risk assessment manager for use by said risk assessment manager in determining a total risk exposure based on said portfolio (*column 2, lines 9-11; column 4, lines 18-25; column 5, lines 38-42 and column 8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus*).

Lent does not disclose information descriptive of a family tree that shows relationship between companies. However, Carter, III discloses information descriptive of a family tree that shows relationship between companies (*figure 5 and column 12,*

Art Unit: 3692

lines 1-15, a family tree for various organizations). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the features taught by Carter, III above for the purpose of providing more efficiency in determining a total risk exposure.

Regarding to claim 2, Lent further discloses wherein said risk assessment manager comprises: a scoring component that provides a risk score based on said portfolio (*column 5, lines 38-43, FICO score received from credit bureaus*).

Regarding to claim 3, Lent further discloses wherein said risk assessment manager comprises: a transfer component to import and export data to and from said first database (*column 17, lines 12-17, the web server 1406 is connected to the Internet and communicates with the applicant host system to request and receive applicant information and to notify the applicant of the results of the approval process*).

Regarding to claim 4, Lent further discloses where said data integration component enhances said customer account information, provides entity matching for said customer account information, and/or provides data products (*column 4, lines 1-17, the parsing engine 106 parses the data into an exact format that may be used to directly access credit bureau data*).

Regarding to claim 11, Lent discloses a machine-readable medium comprising instructions that when read by a processor, cause said processor to perform a method comprising:

receiving customer account information (*column 3, lines 53-58, an application engine 104 creates an application by prompting an applicant for data and storing the*

Art Unit: 3692

entered data; column 4, lines 55-67, an application data structure 202 stores the data contained in an application and keeps track of the status of the application);

creating a portfolio based on said customer account information by applying at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and applying predictive indicators (*column 2, lines 9-11; column 4, lines 18-25; column 5, lines 38-42 and column 8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus);*

providing a customer based analysis of said portfolio (*column 5, lines 25-37);*

providing a risk score for at least one customer in said portfolio based on said customer based analysis (*column 5, lines 30-33, FICO score); and*

providing an account profile for said at least one customer (*column 4, lines 55-67, application data structure 202 includes an application object).*

Lent does not disclose information descriptive of a family tree that shows relationship between companies. However, Carter, III discloses information descriptive of a family tree that shows relationship between companies (*figure 5 and column 12, lines 1-15, a family tree for various organizations).* Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the features taught by Carter, III above for the purpose of providing more efficiency in determining a total risk exposure.

Regarding to claim 13, Lent further discloses providing days sales outstanding information for said at least one customer in said portfolio (*column 5, lines 27-31, e.g. a*

Art Unit: 3692

90 day attribute that indicates the number of times the applicant has been more than 90 days late in payment of a debt).

Regarding to claim 14, Lent further discloses wherein said account profile includes a financial statement (*column 5, lines 15-20, application data structure 202 includes a set of credit report objects*).

Regarding to claim 18, Lent further discloses wherein said quality assurance process includes at least one step selected from the group consisting of: entity matching, applying unique corporate identifiers, applying corporate linkage information, and/or applying predictive indicators (*column 2, lines 9-11; column 4, lines 18-25; column 5, lines 38-42 and column 8, lines 57-65, an Underwriter engine 214 automatically approves an application based on the information obtained from credit bureaus*). Lent does not disclose information descriptive of a family tree that shows relationship between companies. However, Carter, III discloses information descriptive of a family tree that shows relationship between companies (*figure 5 and column 12, lines 1-15, a family tree for various organizations*). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the features taught by Carter, III above for the purpose of providing more efficiency in determining a total risk exposure.

13. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (hereinafter Lent), U.S. Patent No. 6,405,181.

Regarding to claims 8-10, Lent does not disclose a country logic component that determines a base language and a base currency for said customer in said portfolio; a

Art Unit: 3692

database access component that retrieves country specific data from a plurality of systems, wherein said plurality of systems are selected from the group consisting of: European Office System, Canada Bilingual Office System, United States Advanced Office Systems, Nordic, and Asian Pacific Latin America. However, determining a base language and a base currency for customer and retrieving country specific data from such a plurality of system above are well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the well known features above for the purpose of providing more convenient to customer when accessing customer's account information.

14. Claims 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (hereinafter Lent), U.S. Patent No. 6,405,181, in view of Carter, III, U.S. Patent No. 5,878,400, and further in view of Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claim 12, Lent does not disclose providing, by said processor, financial data about said portfolio in a selected currency providing a currency conversion feature; providing, by said processor, a local currency for said at least one customer in said portfolio; and assigning, by said processor, a default currency for said at least one customer in said portfolio. However, Land discloses providing, by said processor, financial data about said portfolio in a selected currency (*column 9, lines 25-43*) and providing, by said processor, a currency conversion feature; providing a local currency for said at least one customer in said portfolio; and assigning, by said processor, a default currency for said at least one customer in said portfolio (*column 9,*

Art Unit: 3692

lines 25-43). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the teaching of Land above, for the purpose of providing more convenient to the customer when accessing customer's account information.

15. Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lent et al (hereinafter Lent), U.S. Patent No. 6,405,181, in view of Carter, III, U.S. Patent No. 5,878,400, and further in view of Land et al (hereinafter Land), U.S. Patent No. 6,847,942.

Regarding to claim 22, Lent does not disclose receiving, by said processor, a change in a financial statement for said at least one customer; and assessing, by said processor, a risk change in said portfolio based on said change in said financial policy according to said at least one user-defined rule and at least one user-defined policy. However, Land discloses receiving, by said processor, a change in a financial statement for said at least one customer; and assessing, by said processor, a risk change in said portfolio based on said change in said financial policy according to said at least one user-defined rule and at least one user-defined policy (*column 12, lines 44-50*).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the teaching of Land above, for the purpose of updating customer's risk information, for the purpose of providing more accurate in making approval decision.

Regarding to claim 24, Lent does not disclose providing, by said processor, financial data about said portfolio in a selected currency providing a currency

Art Unit: 3692

conversion feature; providing, by said processor, a local currency for said at least one customer in said portfolio; and assigning, by said processor, a default currency for said at least one customer in said portfolio. However, Land discloses providing, by said processor, financial data about said portfolio in a selected currency (*column 9, lines 25-43*) and providing, by said processor, a currency conversion feature; providing a local currency for said at least one customer in said portfolio; and assigning, by said processor, a default currency for said at least one customer in said portfolio (*column 9, lines 25-43*). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Lent's adopt the teaching of Land above, for the purpose of providing more convenient to the customer when accessing customer's account information.

Conclusion

16. Claims **1-24** are rejected.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Friday from 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Art Unit: 3692

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

18. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

(703) 273-8300 (for formal communication intended for entry),

or

(571) 273-6796 (for informal or draft communication, please label "PROPOSED" or "DRAFT").

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/726,023

Page 16

Art Unit: 3692

/Nga B. Nguyen/

Primary Examiner, Art Unit 3692

September 29, 2009